

REMARKS

The Office Communication mailed November 5, 2007, notes that the sequence "DIETLYH" referred to in the specification at page 10, line 10, is different than the sequence of SEQ ID NO: 35 in the sequence listing submitted by applicants on October 6, 2006. The Office Communication also notes that the sequence listed as SEQ ID NO: 35 is "DIETKYH" and that this sequence cannot be found in the specification.

In response, applicants respectfully bring to Examiner's attention that the sequence, "DIETLYH", referred to in the specification at page 10, line 10, is indeed the sequence of SEQ ID NO: 35 in the sequence listing submitted by applicants on October 6, 2006. Applicants also respectfully bring to Examiner's attention that in the sequence listing submitted on October 6, 2006, the sequence listed as SEQ ID NO: 35 is "DIETLYH" and that the sequence listing does not have "DIETKYH" as a sequence. One of the other sequences disclosed in the sequence listing is "DIETFYH" which is disclosed in Figure 1 of the specification. Thus, applicants contend that the sequence listing filed on October 6, 2006 does not create new matter, and also that the sequence of "DIETLYH" disclosed at page 10, line 10, has been correctly identified as SEQ ID NO: 35. Withdrawal of the non-compliant notice is requested.

Conclusion

In the event that the filing of this paper is deemed not timely, applicants petition for an appropriate extension of time. The petition fee, and any other fees that may be required in relation to the filing of this paper, can be charged to Deposit Account No. 11-0600, referencing Docket No. 10089/14.

Respectfully Submitted,
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